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Programme of activities of the International Decade of the World's Indigenous People

Report of the Third Committee

Rapporteur: Ms. Oksana **Boiko** (Ukraine)

I. Introduction

1. At its 19th plenary meeting, on 20 September 2002, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-seventh session the item entitled "Programme of activities of the International Decade of the World's Indigenous People" and to allocate it to the Third Committee.

2. The Committee considered the item at its 22nd to 24th, 28th, 31st and 55th meetings, on 17, 21, 23, 28 and 31 October and 20 November 2002. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/57/SR.22-24, 28, 31 and 55).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations (A/57/296);

(b) Report of the Secretary-General on the implementation of the programme of activities of the International Decade of the World's Indigenous People (A/57/395).

4. At the 22nd meeting, on 17 October, the Director of the New York office of the United Nations High Commissioner for Human Rights made an introductory statement (see A/C.3/57/SR.22).

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II. Consideration of proposals

A. Draft resolution A/C.3/57/L.7

5. By its resolution 2002/28 of 25 July 2002, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "Permanent Forum on Indigenous Issues". The draft resolution was reproduced in document A/C.3/57/L.7.

6. At its 31st meeting, on 31 October, the Committee had before it a statement of the programme budget implications of draft resolution A/C.3/57/L.7, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.3/57/L.26).

7. At the same meeting, the Committee adopted draft resolution A/C.3/57/L.7 without a vote (see para. 16, draft resolution I).

8. After the adoption of the draft resolution, statements were made by the representatives of the United States of America and Japan (see A/C.3/57/SR.31).

B. Draft resolution A/C.3/57/L.27

9. At the 28th meeting, on 28 October, the representative of Norway, on behalf of Armenia, Australia, Austria, Belgium, Belize, Bolivia, Brazil, Canada, Chile, China, Costa Rica, Croatia, Cyprus, Denmark, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, El Salvador, Finland, Germany, Greece, Guatemala, Guyana, Iceland, Ireland, Italy, Luxembourg, Mexico, the Netherlands, New Zealand, Nigeria, Norway, Panama, Peru, Portugal, the Russian Federation, Spain, Sweden, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Venezuela, introduced a draft resolution entitled "International Decade of the World's Indigenous People" (A/C.3/57/L.27). Subsequently, Antigua and Barbuda, Burkina Faso, Estonia, France, Liberia, Paraguay, Senegal, Suriname, Switzerland and Uruguay joined in sponsoring the draft resolution.

10. At its 31st meeting, on 31 October, the Committee adopted draft resolution A/C.3/57/L.27 without a vote (see para. 16, draft resolution II).

C. Draft resolution A/C.3/57/L.29 and Rev.1

11. At the 31st meeting, on 31 October, the representative of Suriname, on behalf of Antigua and Barbuda, Belize, Cyprus, Dominica, Greece, Grenada, Haiti, Saint Kitts and Nevis, Saint Vincent and the Grenadines and Suriname, introduced a draft resolution entitled "Indigenous people and issues" (A/C.3/57/L.29), which read:

> "*The General Assembly*,
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> "*Recalling* Economic and Social Council resolution 2000/22 of 28 July 2000, in which the Council established the Permanent Forum on Indigenous Issues,

"*Recalling also* its resolution 56/140 of 19 December 2001 on the International Decade of the World's Indigenous People, in which it welcomed Economic and Social Council decision 2001/316 of 26 July 2001 concerning the Permanent Forum,

"*Taking note* of the report of the Permanent Forum on its first session, held at United Nations Headquarters in New York from 13 to 24 May 2002,

"*Bearing in mind* the special nature of the Permanent Forum as a global focal point for promoting cooperation among States and indigenous peoples, in particular, with regard to the implementation of international policies, commitments and action plans on indigenous peoples and sustainable development,

"1. *Invites* the Secretary-General to establish, within the framework of the secretariat of the Permanent Forum on Indigenous Issues to be established in accordance with General Assembly resolution 57/___, the post of Special Adviser, in order, inter alia, to provide independent advice and substantive assistance to the secretariat in carrying out its mandate in a successful and fruitful manner;

"2. *Looks forward* to the appointment of a qualified person of high standards, integrity and independence, who would work pro bono and whose appointment would thus have no financial implications for the regular budget of the United Nations, and who is also very familiar with the United Nations system, has over a decade of experience with and significant knowledge of indigenous issues and has previously served as an expert in this respect."

12. At its 55th meeting, on 20 November, the Committee had before it a revised draft resolution entitled "Indigenous people and issues" (A/C.3/57/L.29/Rev.1), submitted by the sponsors of draft resolution A/C.3/57/L.29 and the Bahamas, Benin, Burkina Faso, Cambodia, China, Guyana, Pakistan and Timor-Leste. Subsequently, Jamaica joined in sponsoring the draft resolution.

13. At the same meeting, the Committee adopted draft resolution A/C.3/57/L.29/Rev.1 without a vote (see para. 16, draft resolution III).

14. Before the adoption of the draft resolution, a statement was made by the representative of Dominica (see A/C.3/57/SR.55).

D. Draft decision proposed by the Chairman

15. At its 55th meeting, on 20 November, on the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it take note of the report of the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations (A/57/296) (see para. 17).

III. Recommendations of the Third Committee

16. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Permanent Forum on Indigenous Issues

The General Assembly,

Recalling Economic and Social Council resolution 2000/22 of 28 July 2000, in which the Council established the Permanent Forum on Indigenous Issues, as well as Council decision 2001/316 of 26 July 2001 concerning the election/appointment of the sixteen members of the Forum and other organizational matters,

Recalling also its resolution 56/140 of 19 December 2001 on the International Decade of the World's Indigenous People, in which it welcomed Council decision 2001/316,

Saluting the successful holding of the historic first annual session of the Forum at United Nations Headquarters in New York from 13 to 24 May 2002,

Having considered the report of the Forum on its first session,[1]

Wishing to strengthen, within the mandate of the Council, the interactive dialogue and partnership between the Forum and Governments, specialized agencies, funds and programmes of the United Nations system, other relevant international and regional organizations, indigenous people and indigenous peoples, as well as civil society at large,

Welcoming the creation of the Inter-Agency Support Group for the Forum,

Underlining the importance of securing adequate financial and secretariat support for the activities of the Forum, while reaffirming that the financing of the Forum shall be provided from within existing resources through the regular budget of the United Nations and its specialized agencies, funds and programmes and through such voluntary contributions as may be donated,

Recalling the decision of the Council taken in paragraph 8 of its resolution 2000/22 to conduct a review, without prejudging any outcome, of all existing mechanisms, procedures and programmes within the United Nations concerning indigenous issues, including the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights, with a view to rationalizing activities, avoiding duplication and overlap and promoting effectiveness, and the decision of the Council to hold the review as soon as possible and not later than its substantive session of 2003, as stipulated in its decision 2001/316,

1. *Requests* the Secretary-General, in connection with draft decisions I to IV recommended by the Permanent Forum on Indigenous Issues at its first session for adoption by the Economic and Social Council:[1]

(*a*) To appoint a secretariat unit, in accordance with the budget procedures established by the General Assembly in its resolution 41/213 of 19 December 1986, within the Department of Economic and Social Affairs of the Secretariat, to assist the Forum in carrying out its mandate, as defined in paragraph 2 of Council resolution 2000/22;

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[1] E/2002/43 (Parts I and II)-E/CN.19/2002/3 (Parts I and II). For the final text, see *Official Records of the Economic and Social Council, 2002, Supplement No. 23*.

(*b*) To establish a voluntary fund for the Forum for the purpose of funding the implementation of recommendations made by the Forum through the Council, in line with paragraph 2 (*a*) of Council resolution 2000/22, as well as funding activities under its mandate, as defined in paragraphs 2 (*b*) and (*c*) of the same resolution;

2. *Encourages* the submission of applications of indigenous persons to the Secretariat and invites the Secretary-General to give broad publicity to vacancies, when available;

3. *Invites* the organizations and bodies of the United Nations system, including the Inter-Agency Support Group for the Forum, other relevant international and regional organizations and bodies and indigenous people and indigenous peoples to assist the Forum in carrying out its mandate as enumerated in paragraph 2 of Council resolution 2000/22, including through the provision of staff;

4. *Urges* Governments, financial institutions and other intergovernmental and non-governmental organizations to consider contributing to the voluntary fund for the Forum to be established by the Secretary-General;

5. *Takes note with interest* of the proposals, objectives, recommendations and areas of possible future action identified by the Forum in its report on its first session,[1] and invites States, organizations of the United Nations system, other relevant international and regional organizations, and indigenous people and indigenous peoples to take them into consideration and, where they so decide, to take action;

6. *Decides* to authorize an exceptional three-day pre-sessional meeting of the members of the Forum from 7 to 9 May 2003.

Draft resolution II
International Decade of the World's Indigenous People

The General Assembly,

Recalling its resolution 56/140 of 19 December 2001 and previous resolutions on the International Decade of the World's Indigenous People,

Recalling also its resolution 40/131 of 13 December 1985, by which it established the United Nations Voluntary Fund for Indigenous Populations,

Recalling that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health, and that the theme of the Decade is "Indigenous people: partnership in action",

Welcoming, in this respect, the contributions made through the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, to the realization of the goals of the Decade,

Welcoming also, in this respect, the concluding documents from the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002,

Saluting the successful holding of the historic first annual session of the Permanent Forum on Indigenous Issues at United Nations Headquarters in New York from 13 to 24 May 2002,

Welcoming the report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people,[2] submitted to the Commission on Human Rights at its fifty-eighth session, pursuant to Commission resolution 2001/57, of 24 April 2001,[3]

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the International Decade of the World's Indigenous People,[4] the need for adequate financial support from the international community, including support from within the United Nations system, and the need for adequate coordination and communication channels,

Urging all parties to continue to use their best efforts to achieve the goals of the Decade,

1. *Takes note* of the report of the Secretary-General on the implementation of the programme of activities of the International Decade of the World's Indigenous People;[5]

2. *Affirms its conviction* of the value and diversity of the cultures and forms of social organization of indigenous people and its conviction that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world;

3. *Emphasizes* the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems;

4. *Requests* the United Nations High Commissioner for Human Rights, as coordinator for the Decade:

(*a*) To continue to promote the objectives of the Decade, taking into account, in the fulfilment of his functions, the special concerns of indigenous people;

(*b*) To give due regard to the dissemination, from within existing resources and voluntary contributions, of information on the situation, cultures, languages, rights and aspirations of indigenous people and, in that context, to consider the possibility of organizing projects, special events, exhibitions and other activities addressed to the public, in particular to young people;

(*c*) To submit, through the Secretary-General, an annual report to the General Assembly on the implementation of the programme of activities of the Decade;

5. *Reaffirms* the adoption of a declaration on the rights of indigenous people as a major objective of the Decade, and underlines the importance of effective participation by indigenous representatives in the open-ended intersessional working group of the Commission on Human Rights charged with developing a draft

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[2] E/CN.4/2002/97.

[3] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[4] Resolution 50/157, annex.

[5] A/57/395.

declaration on the rights of indigenous people, established pursuant to Commission resolution 1995/32 of 3 March 1995;[6]

6. *Welcomes* Economic and Social Council resolution 2002/28 of 25 July 2002 concerning the Permanent Forum on Indigenous Issues;

7. *Encourages* Governments to support the Decade by:

(*a*) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(*b*) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters that affect them;

(*c*) Establishing national committees or other mechanisms involving indigenous people to ensure that the objective and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

(*d*) Contributing to the United Nations Trust Fund for the International Decade of the World's Indigenous People;

(*e*) Contributing, together with other donors, to the United Nations Voluntary Fund for Indigenous Populations in order to assist indigenous representatives in participating in the Permanent Forum on Indigenous Issues, the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights and the open-ended intersessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people;

(*f*) Considering contributing, as appropriate, to the Fund for the Development of Indigenous Peoples in Latin America and the Caribbean, in support of the goals of the Decade;

(*g*) Identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people and intergovernmental and non-governmental organizations;

8. *Invites* United Nations financial and development institutions, operational programmes and the specialized agencies and secretariats, as well as other regional and international organizations, in accordance with the existing procedures of their governing bodies:

(*a*) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, inter alia, through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(*b*) To launch special projects, through appropriate channels and in cooperation with indigenous people, to strengthen their community-level initiatives and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

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[6] See *Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

(*c*) To designate focal points for the coordination of activities related to the Decade with the Office of the United Nations High Commissioner for Human Rights;

and commends those institutions, programmes, agencies and regional and international organizations that have already done so;

9. *Appeals* to all Governments and organizations to consider contributing to the United Nations Voluntary Fund for Indigenous Populations, if possible with a substantial increase in the level of contributions;

10. *Recommends* that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of all relevant United Nations conferences;

11. *Requests* the United Nations High Commissioner for Human Rights to submit, through the Secretary-General, a report on the implementation of the programme of activities for the Decade to the General Assembly at its fifty-eighth session;

12. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled "Programme of activities of the International Decade of the World's Indigenous People".

Draft resolution III
Indigenous people and issues

The General Assembly,

Recalling Economic and Social Council resolution 2000/22 of 28 July 2000, in which the Council established the Permanent Forum on Indigenous Issues,

Recalling also its resolution 56/140 of 19 December 2001 on the International Decade of the World's Indigenous People, in which it welcomed Economic and Social Council decision 2001/316 of 26 July 2001 concerning the Forum,

Taking note of the report of the Forum on its first session, held at United Nations Headquarters in New York from 13 to 24 May 2002,[7]

Recalling that the Forum shall serve as an advisory body to the Economic and Social Council, with a mandate to discuss indigenous issues within the mandate of the Council relating to economic and social development, culture, the environment, education, health and human rights,

Taking note of Economic and Social Council resolution 2002/28 of 25 July 2002,

Wishing to strengthen, within the mandate of the Economic and Social Council, the interactive dialogue and partnership between the Forum and Governments, specialized agencies, funds and programmes of the United Nations system, other relevant international and regional organizations, indigenous people and indigenous peoples, as well as civil society at large,

[7] E/2002/43 (Parts I and II)-E/CN.19/2002/3 (Parts I and II). For the final text, see *Official Records of the Economic and Social Council, 2002, Supplement No. 23*.

Invites the Secretary-General, on the basis of recommendations made by the Permanent Forum on Indigenous Issues through the Economic and Social Council, to consider providing advice to the General Assembly on the need to identify further ways to assist the Forum in carrying out its mandate in a successful and fruitful manner, including the possibility of seeking the views of adviser(s).

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17. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Document considered by the General Assembly in connection with the question of the programme of activities of the International Decade of the World's Indigenous People

The General Assembly takes note of the report of the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Populations.[8]

[8] A/57/296.